

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 15197 of 2004

Between:

Gagolotu Raju, S/o Somla,
R/o Bheekya Thanda Village,

Kodad Mandal, Nalgonda District. **PETITIONER**

AND

1.The Proh. and Excise Inspector,

Excise Station, Kodad, Nalgonda District.

2.The Deputy Commissioner

of Proh. and Excise, Mahaboobnagar Division,

Mahaboobnagar District.**RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, more particularly one in the nature of Writ of Mandamus , to declare the action of the 1st respondent in seizing 43 bags of Black Jaggery and 2 ½ bags of Alum under P.R.No. 308/2000-2001 as illegal arbitrary and consequently direct the respondents herein to release the said stocks.

Counsel for the Petitioner: MR.PALLE NAGESWAR RAO

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following :

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ORDER:

Heard learned Counsel for the petitioner as well as the learned Government Pleader.

It is submitted by learned Counsel for the petitioner and learned Government Pleader that this writ petition can be disposed of in the light of the directions issued by this Court in W.P.No.11896 of 2004 wherein this Court disposed of the same granting liberty to the petitioner to make an appropriate application before the Deputy Commissioner of Prohibition and Excise/second respondent herein for release of the seized goods within a period of two weeks, and if such an application is made, second respondent was directed to consider and dispose of the same, on furnishing bank guarantee of the value of the goods, in accordance with law within a period of two weeks from the date of receipt of such application from the petitioner.

Petitioner submits that he had also made an application to the second respondent. In view of the same, second respondent is directed to dispose of the said application in the light of the order as referred to above, within a period of two weeks from the date of receipt of a copy of this order.

With the observation as above, writ petition is disposed of. No costs.

26-8-2004

Note:

Issue CC

in three days.

B/o

LUR

Copy to:

1.The Proh. and Excise Inspector,

Excise Station, Kodad, Nalgonda District.

2.The Deputy Commissioner

of Proh. and Excise, Mahaboobnagar Division,

Mahaboobnagar District.

3.Two CCs to the G.P. for Prohibition & Excise,

High Court Buildings, High Court of A.P., Hyderabad.(O.U.T.)

4.Two CD copies.

